

### **REMARKS/ARGUMENTS**

The Examiner is thanked for the clarity and conciseness of the Office Action and for the citation of the references which have been studied with interest and care.

#### **Claim Rejections - 35 U.S.C. § 102**

Claims 1-27 were rejected under 35 U.S.C. 102(e) as being anticipated by Shiohara (U.S. Pat. No. 6,822,754).

Shiohara discloses a print data generation system in which a temporary print request is sent to multiple printers. The system includes a selection element which selects one or more of the printers based on print processing information (e.g., print job progress state) received from each of the printers.

Shiohara discloses predicting a print wait time for each printer, at least based on the number of print pages of unprocessed print jobs registered in each printer, and selecting one or more of the printers based on the print wait time.

Shiohara does not indicate when a temporary print request should next be generated. From the disclosure, it would appear that the next temporary print request would be generated when a new print job needs to be sent to one of the plurality of printers. As discussed above, in Shiohara, the print processing information received from each printer is used to decide which printer to select for a new print job.

The foregoing, it is respectfully submitted, does not constitute disclosure or suggestion of the claimed method for adapting the polling rate for collecting job information from a device. More specifically, with regard to claims 1, 13, 26 and 27, Shiohara does not disclose or suggest: "setting a delay time depending upon the state of job progress; and querying the device for job information after the delay time has passed."

The Examiner asserted (e.g., at page 3 of the Office Action) that "Shiohara implicitly disclose setting a delay time depending upon the state of job progress." Applicant respectfully traverses this assertion. Rather, Shiohara teaches predicting a print wait time for each of multiple printers and using this predicted time to select a printer. Shiohara discloses nothing about setting the print wait time (or any other value); nor does Shiohara disclose or suggest that such a set value is to be used to determine when to next query the device for job information.

Further with regard to claims 18 and 20, in Shiohara the prediction of a print wait time for deciding which printer to select for a new print job does not, it is respectfully submitted, equate to adjusting a polling rate. Nor does the foregoing prediction disclose or

suggest querying a device for job progress information according to a polling rate and iteratively adjusting the polling rate depending upon the job progress information until a job associated with the job progress information is completed. In fact, Shiohara does not include any discussion of a polling rate (or of any other rate).

For the reasons discussed above, Applicant's claims clearly are not anticipated by Shiohara. (Nor would Applicant's claims have been obvious to one of ordinary skill in the art over Shiohara.) Withdrawal of this rejection is respectfully requested.

**CONCLUDING REMARKS**

Applicant submits that the application is in condition for allowance. Concurrence by the Examiner and early passage of the application to issue are respectfully requested.

Respectfully submitted,



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